

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

ALVIN FERNANDEZ SANTIAGO

DEBTOR

CASE NO. 19-05978 ESL

CHAPTER 13

**DEBTOR'S REPLY TO *TRUSTEE'S MOTION TO DISMISS* DOCKET NO. 24  
and REQUEST FOR ADDITIONAL TIME TO CURE BALANCE IN ARREARS**

TO THE HONORABLE COURT:

**COMES NOW, ALVIN FERNANDEZ SANTIAGO**, the Debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays as follows:

1. On November 8, 2023, the Chapter 13 Trustee filed a *Trustee's Motion to Dismiss*, Docket No. 24, stating that the Debtor is in arrears in the Plan payments in the sum of \$575.00, in the above captioned case.

2. On December 05, 2023 the Debtor requested an extension of time (Docket No. 25) within to cure a balance in the arrears owed to the Trustee and adequately reply to the Trustee's request for dismissal. On December 06, 2023, this Honorable Court granted the Debtor's request for an extension of time of 30 days to reply to the Trustee's request for dismissal, as per *ORDER*, Docket No. 26, due by January 04, 2024.

3. The Debtor hereby respectfully replies to the Trustee's motion to dismiss, Docket No. 24, stating that he [the Debtor] has been suffering from a medical condition, which has caused the Debtor to incur in certain extraordinary expenses related to said medical condition, which is the reason for the Plan arrears in the present case.

4. Today, December 03, 2024, the Debtor met with his undersigned attorney and discussed several alternatives to resolve the pending matter before the Court. The Debtor respectfully states that he wishes to continue his bankruptcy case under a Chapter 13 case

and is making his best effort to cure the Plan arrears and complete all payments under the confirmed Plan.

5. As per the Trustee's motion to dismiss (Docket No. 24) the Plan had accumulated arrears in the sum of \$525.00 or three (3) payments of \$175.00.

6. The Debtor respectfully states that on December 11, 2023, the Trustee credited a \$350.00 payment to the Debtor's Plan account with the Trustee, which payment partially cured the Plan arrears. As of January 03, 2024, the Debtor owes the Trustee the sum of \$350.00 (November and December/2023, each for the sum of \$175.00).

7. On this same date, January 03, 2024, the Debtor is sending to the Chapter 13 Trustee, via USPS regular mail, a U.S. Postal money order Number 29055777851 in the sum of \$175.00 to partially cure the arrears in the present case.

8. That after the aforementioned payment of January 03, 2024, the Debtor still owes the Trustee the sum of \$175.00 to cure the balance in the Plan arrears, in the above captioned case.

9. The Debtor respectfully states that the Debtor needs additional time to cure the balance of \$175.00 in the Plan arrears, and inform the Court accordingly.

10. The Debtor respectfully requests an extension of time of thirty (30) days within to cure the balance in the Plan arrears and notify the Court, accordingly. This extension of time to expire on February 02, 2024.

**WHEREFORE**, the Debtor respectfully requests that the Court grant the present reply, granting the requested extension of time within to cure the balance in the Plan arrears and upon curing the Plan arrears, deny the *Trustee's Motion to Dismiss*, Docket No. 24, in the above captioned case.

**I HEREBY CERTIFY** that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee and to all CM/ECF participants; and also I certify that I sent via USPS Regular Mail a copy of this motion to the following non-participant: the Debtor, Alvin Fernandez Santiago, Urb Villa Guadalupe AA 13 16<sup>th</sup> Street Caguas PR 00725, in the above captioned case.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 3<sup>rd</sup> day of January, 2024.

/s/ **Roberto Figueroa Carrasquillo**  
USDC #203614  
**RFIGUEROA CARRASQUILLO LAW OFFICE PSC**  
**ATTORNEY FOR the DEBTOR**  
PO BOX 186 CAGUAS PR 00726-0816  
TEL 787-744-7699; 787-963-7699  
EMAIL: [rfe@rfigueroalaw.com](mailto:rfe@rfigueroalaw.com)





# CUSTOMER'S RECEIPT

SEE BACK OF THIS RECEIPT FOR IMPORTANT CLAIM INFORMATION

Pay to

Address

KEEP THIS RECEIPT FOR YOUR RECORDS

NOT NEGOTIABLE

19-05978 | ECL

29055777851

Year, Month, Day Post Office Amount Clerk

01



## POSTAL MONEY ORDER

Serial Number

Year, Month, Day

Post Office

U.S. Dollars and Cents

29055777851

One Hundred Seventy Five Dollars and 00/100 \*\*\*\*\*

\$175.00

Amount

Pay to José R. Carrion

Trustee

Address PO Box 88109

From Alvin Fernandez Santiago

Chicago IL 60680-1109

Address Urb. Vito Guadalupe AA 13

Memo

to Street

Caques P.R. 00725

1:000000800 21:

29055777851

19-05978 | ECL

SEE REVERSE WARNING • NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS